

(2) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

“1030A. Aggravated damage to computers used to operate or access critical systems and assets.”.

(e) STOPPING DEALING IN BOTNETS; FORTUITURE.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (7), by adding “or” at the end; and

(B) by inserting after paragraph (7) the following:

“(8) intentionally deals in the means of access to a protected computer, if—

“(A) the dealer knows or has reason to know the protected computer has been damaged in a manner prohibited by this section; and

“(B) the promise or agreement to pay for the means of access is made by, or on behalf of, a person the dealer knows or has reason to know intends to use the means of access to—

“(i) damage a protected computer in a manner prohibited by this section; or

“(ii) violate section 1037 or 1343;”;

(2) in subsection (c)(3)—

(A) in subparagraph (A), by striking “(a)(4) or (a)(7)” and inserting “(a)(4), (a)(7), or (a)(8)”;

(B) in subparagraph (B), by striking “(a)(4), or (a)(7)” and inserting “(a)(4), (a)(7), or (a)(8)”;

(3) in subsection (e)—

(A) in paragraph (13), by striking “and” at the end;

(B) in paragraph (14), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(15) the term ‘deal’ means transfer, or otherwise dispose of, to another as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value.”;

(4) in subsection (g), in the first sentence, by inserting “, except for a violation of subsection (a)(8),” after “of this section”; and

(5) by striking subsection (i) and inserting the following:

“(i) CRIMINAL FORFEITURE.—

“(1) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation of this section, or convicted of conspiracy to violate this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

“(A) such person’s interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

“(B) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained, directly or indirectly, as a result of such violation.

“(2) APPLICABLE PROVISIONS.—The criminal forfeiture of property under this subsection, including any seizure and disposition of the property, and any related judicial proceeding, shall be governed by the procedures of section 413 of the Controlled Substances Act (21 U.S.C. 853), except subsection (d) of that section.”.

SA 4190. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. NOTIFICATION OF ABANDONED UNITED STATES MILITARY EQUIPMENT USED IN TERRORIST ATTACKS.

(a) IN GENERAL.—Not later than 30 days after any element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003) determines that United States military equipment abandoned or otherwise left unsecured in Afghanistan, Iraq, or Syria has been used in a terrorist attack against the United States, allies or partners of the United States, or local populations, the Director of National Intelligence shall submit to the appropriate committees of Congress a written notification of such determination.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SA 4191. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 607. USE OF FINANCIAL SERVICES PROVIDERS IN PROVISION OF FINANCIAL LITERACY TRAINING FOR MEMBERS OF THE ARMED FORCES AT MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES.

Section 992 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) TRAINING FOR MEMBERS STATIONED OVERSEAS.—

“(1) IN GENERAL.—As part of the financial literacy training provided under this section to members of the armed forces stationed or deployed at an installation outside the United States, the commander of such installation may, in the commander’s discretion, permit representatives of financial services providers serving, or intending to serve, such members to participate in such training, including in orientation briefings regularly scheduled for members newly arriving at such installation.

“(2) NO ENDORSEMENT.—In permitting representatives to participate in training and orientation briefings pursuant to paragraph (1), a commander may not endorse any financial services provider or the services provided by such provider.

“(3) FINANCIAL SERVICES PROVIDER DEFINED.—In this subsection, the term ‘financial services provider’ means the following:

“(A) A financial institution, insurance company, or broker-dealer that is licensed and regulated by the United States or a State.

“(B) A money service business that is—

“(i) registered with the Financial Crimes Enforcement Network (FinCEN) of the Department of the Treasury; and

“(ii) licensed and regulated by the United States or a State.

“(C) The host-nation agent of a money service business described in subparagraph (B).”.

SA 4192. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. TRANSFER OF EXCESS DEPARTMENT OF DEFENSE REMOTELY PILOTED AIRCRAFT AND RELATED EQUIPMENT TO DEPARTMENT OF HOMELAND SECURITY FOR U.S. CUSTOMS AND BORDER PATROL PURPOSES AND DEPARTMENT OF AGRICULTURE FOR U.S. FOREST SERVICE PURPOSES.

(a) OFFER OF FIRST REFUSAL OUTSIDE DoD.—

(1) IN GENERAL.—Upon a determination that aircraft or equipment specified in subsection (c) is excess to the requirements of all components of the Department of Defense, the Secretary of Defense shall offer to the Secretary of Homeland Security to transfer such aircraft or equipment to the Secretary of Homeland Security for use by U.S. Customs and Border Patrol.

(2) TIMING OF OFFER.—Any offer under paragraph (1) for aircraft or equipment shall be made before such aircraft or equipment is otherwise disposed of outside the Department of Defense.

(b) OFFER OF SECOND REFUSAL OUTSIDE DoD.—

(1) IN GENERAL.—Upon a determination that aircraft or equipment offered to the Secretary of Homeland Security under subsection (a) will not be accepted by the Secretary of Homeland Security in accordance with that subsection, the Secretary of Defense shall offer to the Secretary of Agriculture to transfer such aircraft or equipment to the Secretary of Agriculture for use by the Forest Service for wildland fire management purposes.

(2) TIMING OF OFFER.—Any offer under paragraph (1) for aircraft or equipment shall be made before such aircraft or equipment is otherwise disposed of outside the Department of Defense.

(c) AIRCRAFT AND EQUIPMENT.—The aircraft and equipment specified in this subsection is the following:

(1) Retired MQ-1 Predator, MQ-9 Reaper, RQ-4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

(2) Initial spare MQ-1 Predator, MQ-9 Reaper, RQ-4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

(3) Ground support equipment of the military departments for MQ-1 Predator MQ-9 Reaper, RQ-4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.